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EXAMINER
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WU, RUTAO

ART UNIT	PAPER NUMBER
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3628

NOTIFICATION DATE	DELIVERY MODE
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10/28/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eptomatters@glenn-law.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/944,278	<b>Applicant(s)</b> GOUYET ET AL.	
	<b>Examiner</b> RUTAO WU	<b>Art Unit</b> 3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 12-18, 20-34, 36, 38, 40-44, 46-52, 61, 69 and 70 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 12-18, 20-34, 36, 38, 40-44, 46-52, 61, 69 and 70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

1. In response filed on August 16, 2010, the Applicant amended claims 1, 12, 14, 27, 38 and 40. Claim 70 have been introduced. Claims 19 and 45 are canceled. Claims 1-8, 10, 12-18, 20-34, 36, 38, 40-44, 46-52, 61, 69-70 are pending in the current application.

### ***Response to Arguments***

2. Applicant's arguments filed August 16, 2010 have been fully considered but they are not persuasive.

3. The Applicant asserts that Hals does not teach or disclose returning a search result that comprises travel information content comprising both logistical travel information relating to traveling to said travel destination; and location-specific, interest-dependent and dynamic information corresponding to local events held in the vicinity of said travel destination for every search. The Applicant cites to Hals' example of searching specifically for "Disney" and "cartoon" as evidence that Hals' does not return interest and destination information based on the users' search term. The Examiner respectfully disagrees. Hals discloses an invention related determining the navigation path of users on the World Wide Web. While it is conceivable that a user searching for "Disney" and "cartoon" would also want a destination for "Disney" and "cartoon", one skilled in the art at the time of the invention would realize that the user was probably

interested in information about Disney cartoons and types of Disney cartoons rather than a location to watch Disney cartoons.

4. Furthermore, the Applicant asserts that Hals' disclosure of a user searching for "Florida" and "Disney", which returns both travel destination information relevant to the user and at least one user-interest that corresponds to the received request, does not teach the claim limitation because "it only does so when the user enters a destination explicitly." (Page 17) Even if the Applicant's assertion is true, that Hals' invention only returns travel destination information and user interest information when the user enters a destination explicitly, Hals' invention still teaches the claim limitation as presented by the Applicant. The Applicant claims determining a context from the received request for travel information automatically, depending only on what the end user requests. No where in the claims does the Applicant explicitly prohibit a destination in the received user request. In Hals' example, the system received request for travel information, that is "Disney" and "Florida", and determined automatically, depending only on the phrase entered by the end user, travel destination information and at least one user-interest that corresponds to said received requests. The Applicant is reminded that the features upon which applicant relies (i.e., user request without destination) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5. The Applicant asserts that paragraph [0039] of Hals teaches away from Applicant's limitations because [0039] involves external events. The Examiner agrees

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and withdraw paragraph [0039]. However, paragraphs [0024] and [0025] teach determining “a context from said received request for travel information automatically, depending only on what said end user requests.”

6. The Applicant also asserts that Hals and DeLorme do not disclose or teach the newly amended claims. The Examiner will address the newly amended claims below in the Office Action.

7. The Applicant also asserts that the dependent claims should be allowed due to their dependency from the Independent claims. However, the Examiner maintains the rejection of the dependent claims based on the arguments provided above.

### ***Claim Rejections - 35 USC § 101***

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claim 27 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

A claimed process is eligible for patent protection under 35 U.S.C. § 101 if:

"(1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing. See Benson, 409 U.S. at 70 ('Transformation and reduction of an article 'to a different state or thing' is the clue to the patentability of a process claim that does not include particular machines. '); Diehr, 450 U.S. at 192 (holding that use of mathematical formula in process 'transforming or reducing an article to a different state or thing' constitutes patent-eligible subject matter); see also Flook, 437 U.S. at 589 n.9 ('An argument can be made [that the Supreme] Court has only recognized a process as within the statutory definition when it either was tied to a particular apparatus or operated to change materials to a 'different state or thing' '); Cochrane v. Deener, 94 U.S. 780, 788 (1876) ('A process is...an act, or a series of acts, performed upon the subject-matter to be transformed and reduced to a different state or thing.').<sup>7</sup> A claimed process involving a fundamental principle that uses a particular machine or apparatus would not pre-empt uses of the principle that do not also use the specified machine or apparatus in the manner claimed. And a claimed process that transforms a particular article to a specified

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different state or thing by applying a fundamental principle would not pre-empt the use of the principle to transform any other article, to transform the same article but in a manner not covered by the claim, or to do anything other than transform the specified article.” (*In re Bilski*, 88 USPQ2d 1385, 1391 (Fed. Cir. 2008))

Also noted in *Bilski* is the statement, “Process claim that recites fundamental principle, and that otherwise fails ‘machine-or-transformation’ test for whether such claim is drawn to patentable subject matter under 35 U.S.C. §101, is not rendered patent eligible by mere field-of-use limitations; another corollary to machine-or-transformation test is that recitation of specific machine or particular transformation of specific article does not transform unpatentable principle into patentable process if recited machine or transformation constitutes mere ‘insignificant post-solution activity.’” (*In re Bilski*, 88 USPQ2d 1385, 1385 (Fed. Cir. 2008)) Examples of insignificant post-solution activity include data gathering and outputting.

It is also noted that the mere recitation of a machine in the preamble in a manner such that the machine fails to patentably limit the scope of the claim does not make the claim statutory under 35 U.S.C. § 101.

Claim 27 is not tied to a particular machine or apparatus nor do they transform a particular article into a different state or thing, thereby failing the machine-or-transformation test; therefore, claim 27 are non-statutory under § 101.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

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10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-3, 8, 10, 12, 14-18, 20-29, 34, 36, 38, 40-44, 46-52, 61 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub No 2002/0078230 to Hals et al in view of U.S. Pat No 5,948,040 to DeLorme et al.

**Referring to claim 1:**

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:

Hals et al disclose

a server configured to receive a request for travel information from the end user;

(Fig 1, Fig 3) [0013]

Hals et al do not expressly disclose determining said end user's home location.

DeLorme et al disclose receiving a request for travel information from the end user and determining said end user's home location. (col 6 lines: 62-64)

Hals et al disclose

a context determination module configured to determine a context from said received request for travel information automatically, depending only on what said end user requests; [0024], [0025]

wherein said context determination module processes a user entered phrase using a search mechanism to simultaneously determine both: travel destination

information relevant to said end user; and at least one user-interest that corresponds to said received requests; [0025] and

a searching module configured to search for a search result based said context, [0025], [0039] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination; and an airfare watch list comprising a temporally-dynamic list of low-priced airfare from said home location to said travel destination;

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination. (col 35: lines 38-54) and an airfare watch list comprising a temporally-dynamic list of low-priced airfares from said home location to said travel destination; (col 40: lines 48-49; col 67: lines 61-65)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.



Hals et al disclose wherein said server is further configured to return said search result to the end user; [0024], [0025]

**Referring to claim 2:**

Hals et al disclose the system of claim 1, further comprising a feed retrieval system and a database couple to said feed retrieval system, wherein said feed retrieval system organizes said travel information for efficient storage by said database for easy retrieval. (Fig 2), [0031]

**Referring to claim 3:**

Hals et al disclose the system of claim 2, said feed retrieval system further comprising:

a rule-based engine for said obtaining said travel information from an internal partner and an external partner and storing said travel information into said database in a format used by a search engine. [0065], [0066]

**Referring to claim 8:**

Hals et al disclose the system of Claim 1, further comprising:  
lookup tables for determining matches to facilitate processing said request for travel information. (Figs 4-6)

**Referring to claim 10:**

Hals et al disclose the system of Claim 1, said context determination module further comprising:

a plurality of context determining categories; and

means for determining at least one context determining category. (Figs 4-6),  
[0024], [0025], [0039]

**Referring to claim 12:**

Hals et al disclose the system of Claim 1, said search result comprising:  
the following travel categories:  
destination guides;  
canned keywords;  
local events;  
hot deals; and  
lodging. (Fig 4-5)

**Referring to claim 14:**

Hals et al disclose displaying travel information related to the search terms.  
[0024] Hals et al does not expressly disclose dynamic information comprises any of:  
a hot deal; and  
a fare watch.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to display air fare information or other fare information when displaying travel information related to the search terms to assist the user in determining travel information.

**Referring to claim 15:**

Hals et al disclose the system of Claim 1, wherein said server is a web server and said travel information is presented in one web page. [0024], [0067]

**Referring to claim 16:**

Hals et al disclose the system of Claim 15, wherein said one web page comprises:

a more link for facilitating linking to more detailed information as an option.

[0024], [0067]

**Referring to claim 17:**

Hals et al disclose the system of Claim 16, wherein said more detailed information comprises information reflecting and associated with at least one context determining category. [0039]

**Referring to claim 18:**

Hals et al disclose the system of Claim 1, further comprising a local escapes feature, wherein said local escapes feature uses a home location to provide particular travel information. [0037], [0039]

**Referring to claim 20:**

Hals et al disclose the system of Claim 18, wherein said home location is selected from a list of predetermined home locations. [0037]

**Referring to claim 21:**

Hals et al does not expressly disclose  
at least fifty predetermined cities or home airports.

Hals et al disclose that information of the user's state of residence can be determined. [0037] Therefore, it would have been obvious to one having ordinary skill

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in the art at the time the invention was made to realize that there are at least fifty predetermined cities or home airports that can be determined from the user.

**Referring to claim 22:**

Hals et al disclose the system of Claim 18, wherein said provided travel information comprises any of:

a fare watch;  
weekend e-fares;  
local events;  
hot deals;  
links to other cities; and  
maps. [0039], [0040], [0069]

**Referring to claim 23:**

Hals et al disclose the system of Claim 18, further comprising:  
means for filtering out travel information not relevant to said home location.

[0039]

**Referring to claim 24:**

Hals et al disclose the system of Claim 18, further comprising:  
a multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. [0024]

**Referring to claim 25:**

Hals et al disclose the system of Claim 24, wherein geographical regions comprise urban regions. [0024]

**Referring to claim 26:**

Hals et al disclose the system of Claim 25, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. [0024]

**Referring to claim 27:**

Hals et al disclose a method for providing travel information to an end user in an intelligent way using a search result, said method comprising:

receiving a request for travel information from the end user; (Fig 1, Fig 3) [0013]

Hals et al do not expressly disclose determining said end user's home location.

DeLorme et al disclose receiving a request for travel information from the end user and determining said end user's home location. (col 6 lines: 62-64)

Hals et al disclose

processing said phrase request into a query. (Fig 1, Fig 3) [0013]

automatically determining a context from said received request for travel information in the form of both: travel destination information relevant to said end user; and at least one user-interest that corresponds to said received request for travel information, [0025]

wherein said step of automatically determining said phrase context, depends only on said request for travel information; [0024], [0025]

automatically searching a plurality of databases according to both said query and said context for a search result, without any interaction with a human agent [0025], [0039] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific,

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interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination; and an airfare watch list comprising a temporally-dynamic list of low-priced airfare from said home location to said travel destination;

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination, (col 35: lines 38-54) and an airfare watch list comprising a temporally-dynamic list of low-priced airfares from said home location to said travel destination; (col 40: lines 48-49; col 67: lines 61-65)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.

Hals et al disclose returning said search result to the end user; [0024], [0025]

**Referring to claim 28:**

Hals et al disclose the method of Claim 27 further comprising:

providing a feed retrieval system; (Fig 2), [0031]

providing a database couple to said feed retrieval system; (Fig 2), [0031]

wherein said feed system receives travel information from a plurality of internal and external partners; [0065], [0066] and

retrieval system organizes said content for efficient storage by said database for easy retrieval. (Fig 2), [0031]

**Referring to claim 29:**

Hals et al disclose the method of Claim 28, wherein said feed retrieval system further comprises:

a rule-based engine for said obtaining said travel information from said internal and external partners and storing said content into said database in a format used by a search engine. [0065], [0066]

**Referring to claim 34:**

Hals et al disclose the method of Claim 27, further comprising:  
providing lookup tables for determining matches to facilitate processing said request into said query. (Figs 4-6)

**Referring to claim 36:**

Hals et al disclose The method of Claim 27 further comprising:  
analyzing a plurality of context determining categories; and  
determining at least one context determining category. (Figs 4-6), [0024], [0025], [0039]

**Referring to claim 38:**

Hals et al disclose the method of Claim 27, wherein said search result comprises the following travel categories:

destination guides;  
canned keywords;  
local events;  
hot deals; and  
lodging. (Fig 4-5)

**Referring to claim 40:**

Hals et al disclose displaying travel information related to the search terms.

[0024] Hals et al does not expressly disclose dynamic information comprises any of:

a hot deal; and  
a fare watch.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to display air fare information or other fare information when displaying travel information related to the search terms to assist the user in determining travel information.

**Referring to claim 41:**

Hals et al disclose the method of Claim 27 further comprising:

providing said travel information to said end user in one web page. [0024], [0067]

**Referring to claim 42:**

Hals et al disclose the method of Claim 41, wherein said one web page comprises:

a more link for facilitating linking to more detailed information as an option.

[0024], [0067]



**Referring to claim 43:**

Hals et al disclose the method of Claim 42, wherein said more detailed information comprises information reflecting and associated with one or more than one of said context determining category. [0039]

**Referring to claim 44:**

Hals et al disclose the method of Claim 27, further comprising:  
providing a local escapes feature, wherein said local escapes feature uses a home location to provide particular travel information. [0037], [0039]

**Referring to claim 46:**

Hals et al disclose the method of Claim 44, wherein said home location is selected from a list of predetermined home locations. [0037]

**Referring to claim 47:**

Hals et al does not expressly disclose  
at least fifty predetermined cities or home airports.  
Hals et al disclose that information of the user's state of residence can be determined. [0037] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to realize that there are at least fifty predetermined cities or home airports that can be determined from the user.

**Referring to claim 48:**

Hals et al disclose the method of Claim 44, wherein said provided travel information comprises, a local escape category comprising any of:  
a fare watch;

weekend e-fares;

local events;

hot deals;

links to other cities; and

maps. [0039], [0040], [0069]

**Referring to claim 49:**

Hals et al disclose the method of Claim 44, further comprising:

filtering out travel information not relevant to said home location. [0039], [0049]

**Referring to claim 50:**

Hals et al disclose the method of Claim 44, further comprising:

providing a multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. [0024]

**Referring to claim 51:**

Hals et al disclose the method of Claim 50, wherein geographical regions comprise urban regions. [0024]

**Referring to claim 52:**

Hals et al disclose the method of Claim 51, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. [0024]

**Referring to claim 61:**

Hals et al disclose the system of Claim 1, further comprising:

a multi-hierarchical schema for organizing at least one geographical region to facilitate determining relevant travel information. [0024]

wherein said multi-hierarchical schema comprises levels of a state, a region within said state, and cities within said region. [0024]

**Referring to Claim 69:**

A network-based travel information exchange for providing travel information to an end user, said exchange comprising:

Hals et al disclose

A server configured to receive at least one request for travel information from said end user via a browser-based interface; (Fig 1, Fig 3) [0013]

A travel search determination module operatively coupled with said server, wherein said travel search determination module is configured to automatically determine travel results from said at least one request for travel information; [0025], [0039]

Wherein said travel search determination module comprises a multi-database search mechanism configured to use said at least one request to simultaneously determine: travel destination information relevant to said end user; and at least one user-interest that corresponds to said at least one request; [0039]

Hals et al disclose wherein said server is configured to report at least one search result to said end user via said browser-based interface. [0024], [0025] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific, interest-dependent,

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and dynamic information corresponding to local events held in the vicinity of said travel destination.

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination. (col 35: lines 38-54)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.

**Referring to Claim 70:**

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:

Hals et al disclose

A plurality of end-user client devices, (Fig 2) each comprising;

A processing engine which includes a context determination module and a searching module; [0025] and

A display; [0030]

Wherein said processing engine is configured to display a graphical user interface to an end user via said display; [0034]

Hals et al do not expressly disclose

Wherein said searching module is configured to determine said end user's home location;

DeLorme et al disclose receiving a request for travel information from the end user and determining said end user's home location. (col 6 lines: 62-64)

Hals et al disclose

A server configured to receive a request for travel information from the end user; (Fig 1, Fig 3) [0013]

Wherein said context determination module is configured to determine a context from said received request for travel information automatically, depending only on what said end user requests; [0024], [0025]

wherein said context determination module processes a user entered phrase using a search mechanism to simultaneously determine both: travel destination information relevant to said end user; and at least one user-interest that corresponds to said received requests; [0025] and

wherein said searching module is configured to search for a search result based said context, [0025], [0039] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination, an airfare watch list comprising a

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temporally-dynamic list of low-priced airfares from said home location to said travel destination; and a lodging watch list comprising a temporally-dynamic list of lodging deals in the vicinity of said travel destination.

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination; (col 35: lines 38-54) an airfare watch list comprising a temporally-dynamic list of low-priced airfares from said home location to said travel destination; (col 40: lines 48-49; col 67: lines 61-65) and a lodging watch list comprising a temporally-dynamic list of lodging deals in the vicinity of said travel destination; (col 40: lines 48-49; col 68: lines 1-2)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.

Hals et al disclose wherein said server is further configured to return said search result to the end user; [0024], [0025]

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12. Claims 4, 5, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of DeLorme et al in further view of U.S. Pat No. 6,457,009 to Bollay.

**Referring to claims 4 and 30:**

Hals et al disclose that the information stored in the databases may be supplied by a third party [0066] Hals et al does not expressly disclose custom coded forms in a predetermined format supplied to said partners for facilitating said obtaining travel information.

Bollay discloses in his invention that a generic HTML form is filled in, and then translation is done on the form from a uniform field name to an actual name used by a corresponding remote database. (col 2: lines 44-49)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include custom generated forms that can be supplied to partners to facilitate information gathering. since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case Hal's et al would still receive information from third parties using translated HTML forms as disclosed by Bollay. Thus one ordinary skill in the art would have recognized that the results of the combination were predictable.

Furthermore, one would be motivated to perform such modification to allow a standardized form being used by the partners to facilitate obtaining travel information.

**Referring to claims 5 and 31:**

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Bollay does not explicitly state that the forms can also be coded in standard languages other than HTML, e.g. XML. The examiner takes official notice that forms coded in XML format are not a new feature. XML is another standardized language similar to HTML. Example can be found in U.S. Pat No. 6,697,967 to Robertson (col 2: lines 20-24)

13. Claims 6, 7, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of DeLorme et al in further view of U.S. Pat No. 6,601,059 to Fries.

Hals et al discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. [0024], [0025], [0039] Hals et al does not disclose a spell check service to provide correct spelling of said request for travel information, and the means of providing suggestions on alternate spelling or relevant phrases, or means for setting ambiguity among words or phrases having similar parts.

Fries discloses in his invention a method of providing a visual cue to the user to indicate that the search query includes a misspelled word. The method also includes a step of providing lists of possible spellings for the misspelled words and allowing the user to select one of the possible spellings from the list. The method then replaces the misspelled word with the selected spelling to produce modified test. (col 1: lines 54-63)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include the spell



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checker that will notify the misspelled word, and then suggest alternatives since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case, the search step as disclosed by Hals et al would function the same when correct spellings are provided by Fries' invention, thus one ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, one would be motivated to perform such modification to assist the end user in providing correct spelling of an intended word so the search query with the word or phrase can be more effective.

14. Claim 13 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of DeLorme et al in further view of U.S. Pat No. 5,408,417 to Wilder.

**Referring to claim 13:**

Hals et al disclose searching and displaying local events and to-dos. [0039] Hals et al however, does not expressly disclose that local events comprises a concert.

Wilder discloses in his invention a automated ticket sales system that show upcoming events and attractions in the area, events such as concerts, sports, etc. (col 3: lines 10-13; col 6: lines 3-5)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include concerts information within the local events since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the

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same function as it did separately, in the present case, the searching and displaying steps as disclosed by Hals et al would function the same with the local concert information as disclosed by Wilder, thus one ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, one would be motivated to perform such modification to allow users reserve local functions that is of interest to the users.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RUTAO WU whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/RUTAO WU/  
Examiner, Art Unit 3628